

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

11 JOHN BERMAN, ) Case No. 5:11-cv-03698-PSG  
12 v. Plaintiff, )  
13 KNIFE RIVER CORPORATION, ) **VERDICT FORM**  
14 Defendant. )  
15

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1        1. Has Mr. Berman proved by a preponderance of the evidence that Knife River was  
2        negligent?  
3

4        Yes \_\_\_\_\_      No \_\_\_\_\_  
5

6        2. Has Mr. Berman proved by a preponderance of the evidence that Knife River was grossly  
7        negligent?  
8

9        Yes \_\_\_\_\_      No \_\_\_\_\_  
10

11      If the answer to both Question Nos. 1 and 2 is "No," do not answer any further questions, and have  
12      the presiding juror sign and date this form. If the answer to either Question Nos. 1 or 2, or both, is  
13      "Yes," proceed to Question No. 3.  
14

15      3. Has Mr. Berman proved by a preponderance of the evidence that Knife River's negligence  
16      was a substantial factor in causing harm to Mr. Berman?  
17

18      Yes \_\_\_\_\_      No \_\_\_\_\_  
19

20      If the answer to Question No. 3 is "No," do not answer any further questions, and have the  
21      presiding juror sign and date this form. If the answer to Question No. 3 is "Yes," proceed to  
22      Question 4.  
23

24      4. Has Knife River proved by a preponderance of the evidence that Mr. Berman also was  
25      negligent and that Mr. Berman's own negligence was a substantial factor in causing  
26      Mr. Berman's harm?  
27

28      Yes \_\_\_\_\_      No \_\_\_\_\_  
29

30      If the answer to Question No. 4 is "No," proceed to Question No. 6. If the answer to  
31      Question No. 4 is "Yes," proceed to Question 5.  
32

33      5. What percentage of Mr. Berman's injury do you find to have been caused by the negligence  
34      of Knife River and what percentage by Mr. Berman?  
35

36      Knife River \_\_\_\_\_      Mr. Berman \_\_\_\_\_  
37

38      Note: The total percentages must add up to 100%. Proceed to Question No. 6.  
39

40      6. If you answered "Yes" to Question Nos. 1 or 2, or both, and Question No. 3, what damages  
41      has Mr. Berman proved by a preponderance of the evidence? (Do not reduce by any  
42      percentages found in Question No. 5.)  
43

44      Damages \_\_\_\_\_  
45

1 DATED: \_\_\_\_\_

2 \_\_\_\_\_  
3 PRESIDING JUROR

4 After this verdict form has been signed and dated, notify the court that you are ready to present  
5  
6 your verdict in the courtroom.  
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25 **IT IS SO ORDERED.**

26 Dated: August 27, 2014

27   
28 PAUL S. GREWAL  
United States Magistrate Judge